

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO. 1:10-CR-0128</b>
	:	
v.	:	<b>(Judge Conner)</b>
	:	
<b>JULIUS JAMES MONYOUKAYE</b>	:	

**ORDER**

AND NOW, this 25th day of March, 2011, upon consideration of the motion (Doc. 89), filed *pro se* by defendant Julius James Monyoukaye (“Monyoukaye”), wherein Monyoukaye seeks for his court-appointed counsel to be removed and replaced with another court-appointed counsel, and upon further consideration of Monyoukaye’s *pro se* motion (Doc. 90) to withdraw his guilty plea, and following a hearing on said motions, the court finding that the attorney-client relationship between Monyoukaye and his original court-appointed attorney has irretrievably broken down, see 18 U.S.C. § 3006a(c) (“[T]he court may, in the interests of justice, substitute one appointed counsel for another at any stage of the proceedings.”); United States v. Welty, 674 F.2d 185, 188 (3d Cir. 1982) (identifying “a complete breakdown in communication” or “an irreconcilable conflict with [one’s] attorney” as cause for appointing substitute counsel); see also PA. RULES PROF’L CONDUCT R. 1.7, 1.16; UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA, CRIMINAL JUSTICE ACT PLAN at 8 (2005), and the court finding that good cause therefore exists for Monyoukaye’s motion (Doc. 89) seeking removal of counsel to be granted, and the court noting that Monyoukaye wishes to remain represented by appointment of another attorney, but that Monyoukaye filed a

motion (Doc. 90) to withdraw his guilty plea without assistance therefrom, see United States v. D'Amario, 268 F. App'x 179, 180 (3d Cir. 2008) ("The Constitution does not confer a right to proceed simultaneously by counsel and pro se . . ."); see also United States v. Vampire Nation, 451 F.3d 189, 206 n.17 (3d Cir. 2006), it is hereby ORDERED that:

1. Monyoukaye's motion (Doc. 89) for removal of his court-appointed counsel is GRANTED. Another attorney shall be appointed by future order of court.
2. Monyoukaye's *pro se* motion (Doc. 90) to withdraw his guilty plea is DENIED, without prejudice to his right to file a motion seeking similar relief with the assistance of counsel.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge